

Remarks

Applicants and the undersigned would like to thank the Examiner for her efforts in the examination of this application. Reconsideration is respectfully requested.

I. Claim Objections

The Examiner has objected to Claims 3, 6, and 8 for informalities.

The first two of these objections are respectfully traversed.

In Claim 3, line 3, the word "presentation" is correct, as the word must be a noun as the object of the preposition "between". The clause reads "between the . . . presentation and a time . . ." Therefore, it is respectfully believed that the recitation as filed is correct.

In Claim 6, line 2, "(a)-(c) is required in the recitation, as that is what defines the code segments being referred to for the iteration. The code segment recited here iterates the code segments as set forth in Claim 1, to which Claim 6 depends indirectly.

Claim 8, line 2, has been amended to improve the clarity thereof.

II. Rejection of Claims 1-15 under 35 USC 112

The Examiner has rejected Claims 1-15 under 35 USC 112, second paragraph, for indefiniteness.

Claim 1 has been amended to remove the "method comprising the steps of" language. This is the only claim having this wording, and therefore Claim 1 as amended and Claims 2-15 as filed are believed free from indefiniteness.

III. Rejection of Claims 1-15 under 35 USC 101

The Examiner has rejected Claims 1-15 under 35 USC 101 as being directed to non-statutory subject matter, and also that Claims 1-4 and 10-15 do not produce a useful, concrete, and tangible result.

Independent Claim 1, and all the remaining dependent claims, have been amended to be directed to a "computer-readable medium having encoded thereon a software program", which is believed to address the first rejection under 35 USC 101.

Independent Claim 1 has also been amended to incorporate the recitations of Claims 2 and 7, which have been canceled. Claim 1 as amended is believed to provide "a useful, concrete, and tangible result" in that, having carried out the code segments recited, one has received "a response from the subject via an input device" and determined "a working memory and fluid reasoning indicator for the subject".

The remaining claims are dependent from Claim 1 and are also thereby believed to comply with 35 USC 101.

Conclusions

Applicants respectfully submit that the above amendments place this application in a condition for allowance, and passage to issue is respectfully solicited. Applicants and the undersigned would like to again thank the Examiner for her efforts in the examination of this application and for reconsideration of the claims as amended in light of the arguments presented. If the further prosecution of the application can be facilitated

through telephone interview between the Examiner and the undersigned, the Examiner is requested to telephone the undersigned at the Examiner's convenience.

Respectfully submitted,



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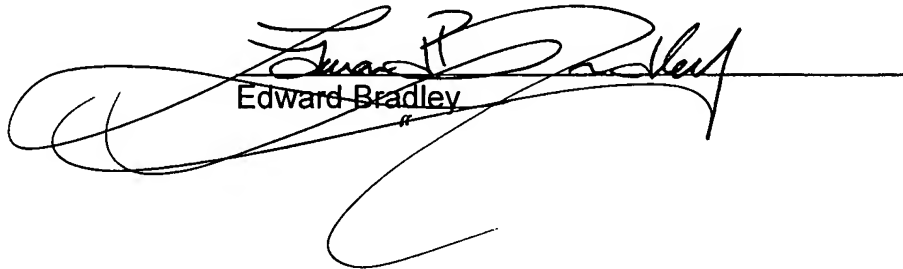
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CERTIFICATE OF MAILING

I hereby certify that the foregoing is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, this 13th day of July, 2005.



Edward Bradley